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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 LANCE P. McDERMOTT,

10 Plaintiff,

11 v.

12 JOHN P. POTTER, Postmaster General,
13 United States Postal Service,

14 Defendant.

No. C09-776RSL

ORDER DENYING MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION

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16 This matter comes before the Court on plaintiff's "Motion for a Temporary Restraining
17 Order, FCRP [sic] 65," Dkt. #4, and plaintiff's "Motion for Permanent Injunction, FCRP [sic]
18 65," Dkt. #5.¹ Plaintiff seeks a temporary restraining order ("TRO") to stop the United States
19 Postal Service from closing the SeaTac Air Mail facility without due process, Dkt. #4 at 1, and
20 an injunction to bar the Postal Service from "closing, consolidating or selling any facility
21 without going through the lawful process and obtaining a Headquarters Approval to do so," Dkt.

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23 ¹ Because plaintiff appears to cite to Fed. R. Civ. P. 65 governing preliminary injunctions, the
24 Court interprets this *pro se* pleading as a motion for a preliminary injunction, not a motion for a
25 permanent injunction.

1 #5 at 1. In the Ninth Circuit, the standard for issuing a TRO is the same as the standard for
2 preliminary injunction: a plaintiff “must establish that he is likely to succeed on the merits, that
3 he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of
4 equities tips in his favor, and that an injunction is in the public interest.” Winter v. Natural Res.
5 Def. Council, Inc., 129 S.Ct. 365, 374 (2008).

6 Plaintiff’s motions each consist of a single sentence. He has provided nothing either in
7 his motions or his complaint that would indicate he is likely to succeed on the merits of his
8 claim.

9 Therefore, plaintiff’s motion for a TRO (Dkt. #4) and his motion for a preliminary
10 injunction (Dkt. #5) are DENIED.

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12 DATED this 5th day of June, 2009.

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17 Robert S. Lasnik
18 United States District Judge
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